

over to a guardian (though the better practice is otherwise), to be paid the infant in case he so survives; otherwise, to the parties entitled. *Gunther v. State*, 31 Md. 31.

For a case denying the jurisdiction of equity on the ground that the complainant had ample remedy under the act of 1831, ch. 315, see *Lee v. Price*, 12 Md. 256.

1904, art. 93, sec. 242. 1888, art. 93, sec. 238. 1860, art. 93, sec. 238.
1831, ch. 315, sec. 12.

243. If an administrator shall believe that any person conceals any part of his decedent's estate he may file a petition in the orphans' court of the county in which he obtained administration, alleging such concealment, and the court shall compel an answer thereto on oath; and if satisfied upon an examination of the whole case that the party charged has concealed any part of the personal estate of the deceased, may order the delivery thereof to the administrator, and may enforce obedience to such order by attachment, imprisonment or sequestration of property.

Nature of the jurisdiction conferred by this section. Proof of concealment. *Smith v. Stockbridge*, 39 Md. 646.

Where the question is not one of concealment but of title to property, the orphans' court has no jurisdiction under this section. *Daugherty v. Daugherty*, 82 Md. 231; *Gibson v. Cook*, 62 Md. 260.

Title to the decedent's property vests in the administrator. An inventory may upon application to the orphans' court be corrected, but that court can not pass on questions of title to personal property save those provided for by section 244. Purpose of this section. *Fowler v. Brady*, 110 Md. 207.

This section distinguished from section 244. The allegation of "concealment" is essential to jurisdiction under this section. What amounts to concealment? *Taylor v. Bruscup*, 27 Md. 225; *Linthicum v. Polk*, 93 Md. 91.

Where a mortgagor dies, and subsequently his executor dies, an administrator *d. b. n.* should be appointed under section 70. If one of the mortgagor's children is concealing information concerning the mortgagor's estate, the mortgagee's remedy is under this section, and he need not go into equity. *Macgill v. Hyatt*, 80 Md. 257.

Cited but not construed in *Hignutt v. Cranor*, 62 Md. 219.

See notes to sections 244 and 245.

Ibid. sec. 243. 1888, art. 93, sec. 239. 1860, art. 93, sec. 239.
1831, ch. 315, sec. 13.

244. The provisions of the foregoing section are extended to all cases where any person interested in any decedent's estate shall by bill or petition allege that the administrator has concealed, or has in his hands and has omitted to return in the inventory or lists of debts any part of his decedent's assets; and if the court shall finally adjudge and decree in favor of the allegations of such petition or bill, in whole or in part, they shall order an additional inventory, or list of debts, as the case may be, to be returned by the administrator, and appraisement to be made accordingly, to comprehend the assets omitted; and such additional inventory or list of debts shall have the same effect to all intents and purposes as any inventory or list of debts before returned; and the court may compel obedience to the said order by attachment and imprisonment and sequestration of property; and if the said administrator shall, either before or after such process of attachment, imprison-